

## Message Text

CONFIDENTIAL

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73

ACTION SS-30

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /031 W

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O R 272100Z AUG 74

FM AMEMBASSY KINGSTON

TO SECSTATE WASDC IMMEDIATE 5601

INFO AMEMBASSY GEORGETOWN

AMCONSUL PARAMARIBO

C O N F I D E N T I A L SECTION 1 OF 3 KINGSTON 3029/1

EXDIS

E.O. 11652: GDS

TAGS: EMIN

SUBJECT: STATUS OF THE BAUXITE NEGOTIATIONS -  
INDUSTRY VIEWS

REF: KINGSTON 1836, 1950

1. ON THURSDAY, AUGUST 22, DCM AND I LUNCHEDED WITH THE LOCAL MANAGERS OF THE FIVE BAUXITE-ALUMINA COMPANIES. PRESENT WERE FULLER OF REYNOLDS, HONNIBAL OF KASIER, CROUCH OF ALCOA, SPARKMAN OF ALPART, AND CLARK OF ALCAN (GAGON ABSENT ON LEAVE). THE OCCASION PROVIDED THE OPPORTUNITY FOR A GENERAL REVIEW OF THE CURRENT SITUATION WITH REGARD TO THE BAUXITE NEGOTIATIONS AND A RECAPITULATION OF INDUSTRY'S VIEWS AND APPROACHES TO THOSE NEGOTIATIONS.

2. ONLY REVERE IS CURRENTLY ENGAGED IN ACTIVE NEGOTIATIONS WITH THE GOVERNMENT. THESE TALKS BEGAN IN MID-JULY AND ARE PROCEEDING IN A LEISURELY FASHION. MATALON, ROUSSEAU, AND RICHARDSON ARE REPRESENTING THE GOVERNMENT. OTHER COMPANIES HAVE BEEN TOLD THAT THE GOVERNMENT WILL BEGIN NEGOTIATIONS WITH THEM IN LATE SEPTEMBER BUT SEVERAL HAVE BEEN GIVEN THE PRIVATE WORD THAT IT MAY BE LATER THAN THAT -- PERHAPS MUCH LATER. ONLY ALCAN HAS BEEN GIVEN A TENTATIVE DATE FOR COMMENCING NEGOTIATIONS --  
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SEPTEMBER 18.

3. O'DONNELL OF REVERE PROVIDED A FAIRLY DETAILED BUT BY NO MEANS CLEAR REPORT ON THE PROGRESS OF HIS COMPANY'S NEGOTIATION WITH THE GOVERNMENT TO DATE. THE ISSUES INVOLVED INCLUDE: (A) LAND OWNERSHIP AND USE, (B) EXPANSION OF ALUMINA REFINING CAPACITY, (C) GOVERNMENT PARTICIPATION IN ALUMINA REFINING BUSINESS, (D) THE ORGANIZATION OF EXISTING BAUXITE MINING OPERATIONS AND GOVERNMENT PARTICIPATION IN THOSE OPERATIONS, (E) THE ORGANIZATION OF FUTURE EXPANDED BAUXITE MINING OPERATIONS AND GOVERNMENT PARTICIPATION IN THOSE OPERATIONS, (F) ACCESS TO ADDITIONAL BAUXITE RESERVES. THE GOVERNMENT'S APPROACH TO ALL THESE QUESTIONS IS SIMILAR TO THE POSITION TAKEN IN ITS MEMORANDUM HANDED TO THE COMPANIES ON THE OPENING OF THE REVENUE NEGOTIATIONS ON MARCH 15, 1974. DETAILS FOLLOW.

4. LAND OWNERSHIP AND USE: GOVERNMENT INITIALLY INFORMED REVERE THAT IT INTENDED TO ASSUME CONTROL OF ALL ITS LANDS AND EXPLICITLY INCLUDED LAND ON WHICH REVERE ALUMINA REFINERY STANDS. LATER GOVERNMENT DELETED REFINERY LAND FROM ITS DEMANDS. GOVERNMENT INDICATED THAT REVERE WOULD BE COMPENSATED ON THE BASIS OF ORIGINAL PURCHASE PRICE (WHICH IS CONSIDERABLY BELOW CURRENT MARKET VALUE) MINUS AN ALLOWANCE FOR DEPRECIATION. IT IS NOT CLEAR ON WHAT BASIS DEPRECIATION WOULD BE CALCULATED. PRESUMABLY IT IS NOT REPEAT NOT RELATED TO US DEPLETION ALLOWANCE FORMULAE WITH RESPECT TO RAW MATERIALS. REVERE'S BEST GUESS IS THAT IT WOULD CONSTITUTE AN AMORTIZATION OF IMPROVEMENTS AND EQUIPMENT DIRECTLY RELATED TO BAUXITE WHICH HAD IN FACT BEEN MINED. REVERE ARGUES THAT COMPENSATION SHOULD INCLUDE A PAYMENT BY GOVERNMENT FOR IMPROVEMENTS AND EQUIPMENT UNRELATED TO BAUXITE OR THOSE WHICH ARE BAUXITE-RELATED BUT ARE IN AREAS WHERE BAUXITE NOT YET MINED.

5. EXPANSION OF REFINING CAPACITY: DESIGN CAPACITY OF CURRENT REVERE ALUMINA PLANT IS 220,000 TONS PER YEAR. TENTATIVE ARRANGEMENTS BETWEEN REVERE AND JAPANESE INTERESTS WOULD LEAD TO AN EXPANSION OF 240,000 TONS. GOVERNMENT HAS INFORMED REVERE THAT IT WISHES THE COMPANY TO CARRY

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OUT AN ADDITIONAL 240,000 TON CAPACITY EXPANSION ON ITS BEHALF AND WHICH IT WILL FINANCE. THE ADDITIONAL PRODUCTION WILL BE OWNED BY THE GOVERNMENT AND DISPOSED OF AS IT SEES FIT. IN ADDITION GOVERNMENT HAS INDICATED IT MAY WISH REVERE TO CARRY OUT A FURTHER 240,000 TON EXPANSION ON ITS BEHALF FOR A TOTAL OF 480,000 TONS OF GOVERNMENT-OWNED CAPACITY. IT ALL OF THESE EXPANSIONS WERE TO OCCUR REVERE REFINERY WOULD GROW FROM ONE OF THE SMALLEST IN

JAMAICA TO THE SECOND LARGEST, AND REVERE WOULD BECOME THE THIRD LARGEST COMPANY IN THE REFINING BUSINESS. A MINIMUM FIVE-YEAR LEAD-TIME WOULD BE REQUIRED. THIS ARRANGEMENT WOULD ALSO GIVE THE GOVERNMENT A MAJORITY POSITION AND OWNERSHIP IN REVERE REFINING OPERATIONS. THE GOVERNMENT'S INTEREST IN ACQUIRING SUCH A POSITION AND ASSURED SOURCE OF SUPPLY IS OBVIOUSLY RELATED TO ITS PROJECTED JOINT VENTURES WITH MEXICO, TRINIDAD/GUYANA AND POSSIBLY VENEZUELA.

6. EXISTING BAUXITE MINING: GOVERNMENT NEGOTIATORS ARE APPARENTLY UNDECIDED AND PERHAPS CONFUSED ON THIS ISSUE. IN ANY EVENT THEY MANAGED TO CONFUSE REVERE. INITIALLY, GOVERNMENT NEGOTIATORS TOLD REVERE ALL BAUXITE IN JAMAICA WOULD BE OWNED AND MINED BY A NEW GOVERNMENT BAUXITE MINING CORPORATION WHICH WOULD HAVE NO FOREIGN PARTICIPATION. THE GOVERNMENT COMPANY WOULD SELL BAUXITE TO THE FOREIGN COMPANIES FOR EITHER EXPORT OR REFINING INTO ALUMINA IN JAMAICA. SALE PRICE WOULD BE COST OF PRODUCTION PLUS A PROFIT MARGIN.

7. REVERE REACTED STRONGLY TO THIS SUGGESTION, SAYING IT WOULD BE UNWIELDING AND CREATE IMPOSSIBLE CONDITIONS NOT ONLY FOR REVERE BUT FOR OTHER COMPANIES AS WELL. REVERE FURTHER OBJECTED THAT COST-PLUS FORMULA WAS AN INVITATION TO INEFFICIENCY AND FEATHER-BEDDING, AND THAT IF FOREIGN COMPANIES WERE PARTNERS WITH THE GOJ THEY SHOULD GET THE RAW MATERIAL AT COSTS, PERIOD.

8. AFTER CONSIDERING THE MATTER GOVERNMENT NEGOTIATORS ALLOWED THAT PERHAPS FIVE COMPANIES, ONE SERVING EACH FOREIGN OPERATOR, WOULD BE BETTER, AND THAT THE GOVERNMENT MIGHT NOT WANT MORE THAN 51 PERCENT OWNERSHIP IN EACH. CONFIDENTIAL

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PRIVATELY, MEYER MATALON INDICATED THAT THE GOVERNMENT MIGHT NOT WANT MORE THAN 20 OR 30 PERCENT EQUITY IN MINING OPERATIONS RIGHT AWAY. APPARENTLY GOVERNMENT INTENDS TO COMPENSATE THE COMPANIES FOR EQUITY IT ASSUMES IN MINING OPERATIONS, BUT THE LEVEL AND MECHANISM OF THAT COMPENSATION IS UNCLEAR.

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ACTION SS-30

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /031 W

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O R 272100Z AUG 74

FM AMEMBASSY KINGSTON

TO SECSTATE WASHDC IMMEDIATE 5602

INFO AMEMBASSY GEORGETOWN

AMEMBASSY PARIAMBO

C O N F I D E N T I A L SECTION 2 OF 3 KINGSTON 3029/2

EXDIS

9. ACCESS TO BAUXITE RESERVES: IF REVERE IS TO MORE THAN QUADRUPE THE CAPACITY OF ITS REFINERY IT WILL CLEARLY NEED ACCESS TO FAR GREATER BAUXITE RESERVES THAN IT NOW HAS. REVERE'S OWN RESERVES ARE MINIMAL COMPARED TO THOSE CONTROLLED BY OTHER COMPANIES, AND IN ADDITION ARE OF POOR QUALITY. GOVERNMENT HAS BEEN SYMPATHETIC TO PROVIDING REVERE WITH GREATER RESERVES, WHICH CAN ONLY COME FROM ITS OWN HOLDINGS OR FROM THE HOLDINGS OF OTHER COMPANIES. REVERE "JOKINGLY" SAID IT WOULD NOT MIND HAVING A PIECE OF THE BAUXITE-RICH MANCHESTER PLATEAU NOW HELD LARGELY BY ALPART, KAISER, AND ALCAN. THE GOVERNMENT TOOK THE SUGGESTION QUITE SERIOUSLY AND HAS REPORTEDLY INFORMED ALPART THAT IT MUST NOT EXPECT THAT IT WILL BE ABLE TO MINE ITS HOLDINGS IN THE PLATEAU

10. THOUGH THE GOVERNMENT IS APPARENTLY SERIOUS ABOUT PURCHASING EQUITY PARTICIPATION IN BOTH REVERE'S MINING AND REFINING OPERATIONS IT IS NOT CERTAIN WHERE THE RESOURCES WILL COME FROM TO PAY FOR EQUITY. AT ONE POINT GOVERNMENT NEGOTIATORS SEEMED TO BE TOYING WITH THE IDEA OF COMBINING RESERVES AND PARTICIPATION ISSUES AND SAID THAT IT MIGHT PAY FOR ITS PART OF THE EXPNDED REFINERY OPERATION BY DEDICATING LARGE BLOCKS OF BAUXITE RESERVES TO REVERE. THE COMPANY ASKED IF IT WOULD STILL HAVE TO PAY THE MINING LEVY ON BAUXITE SO DEDICATED AS IT CAME OUT

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OF THE GROUND, AND THE ANSWER APPEARED TO BE YES. REVERE WAS ASTONISHED BY THIS SUGGESTION, AND UNDERSTANDABLY FAILS TO SEE HOW PERMISSION TO BUY RAW MATERIAL AT HIGH

PRICES CONSTITUTES A PAYMENT FOR EQUITY.

11. IT IS WORTH NOTING THAT NONE OF THE ISSUES BETWEEN REVERE AND THE GOVERNMENT HAVE BEEN RESOLVED IN MORE THAN SIX WEEKS OF TALKS. GOVERNMENT NEGOTIATORS HAVE RAISED ISSUES ONE BY ONE, EXPLORED THEM, AND THEN DROPPED THEM WITHOUT REACHING ANY SOLUTION. THERE IS NO INDICATION OF WHEN TALKS WITH REVERE WILL BE CONCLUDED OR A FINAL FORMULA DEVELOPED.

12. HONNIBAL OF KAISER RAISED TWO OTHER PROBLEMS AND SUGGESTED THAT THE EMBASSY AND THE DEPARTMENT MIGHT BE HELPFUL IN GETTING THEM RESOLVED. ONE WAS THE ABSENCE OF ANY PROVISION IN THE LAW FOR REDUCING ON ACCOUNT OF WEATHER, LABOR TROUBLES, ACCTS OF GOD, ETC. THE MINIMUM PRODUCTION QUOTA IMPOSED ON THE COMPANIES. HONNIBAL SAID HE HAD DISCUSSED THIS OMISSION WITH MINISTER OF FINANCE DAVID COORE SOON AFTER THE MAY 15 TERMINATION OF THE REVENUE NEGOTIATIONS AND THAT COORE SAID THE LAW GAVE HIM SUFFICIENT FLEXIBILITY TO ADJUST THE PRODUCTION QUOTA IN THE LIGHT OF CONDITIONS. HONNIBAL RESPONDED THAT THIS WAS FINE SO LONG AS JAMAICA HAD A SYMPATHETIC AND REASONABLE MINISTER OF FINANCE, BUT WHAT HAPPENED IF MR. COORE WAS REPLACED BY A LESS SYMPATHETIC AND LESS REASONABLE MAN? COORE SAID HE SAW THE PROBLEM BUT WAS RELUCTANT TO BUILD A CONTINGENCY CLAUSE INTO THE LAW BECAUSE ALL THE CONTINGENCIES PERMITTING A CHANGE IN THE QUOTA WOULD HAVE TO BE SPECIFIED, AND THE CLAUSE MIGHT TURN OUT TO BE LONGER THAN THE LAW WITHOUT SUCCEEDING IN LISTING ALL THE POSSIBLE CONTINGENCIES. HE ADDED THAT HE MIGHT TAKE CARE OF THE PROBLEM BY MAKING A PUBLIC POLICY DECLARATION ABOUT THE KINDS OF CONDITIONS WHICH WOULD LEAD HIM TO EXERCISE DISCRETIONARY AUTHORITY UNDER THE LAW, AND WICH WOULD BE THOROUGHLY COMPREHENSIVE. WHILE NOT HAVING THE FORCE OF LAW, SUCH AS POLICY DECLARATION WOULD, HE INDICATED, HAVE SOME BINDING EFFECT ON FUTURE MINISTERS, AT LEAST SO LONG AS THE PNP WAS IN POWER. HOWEVER, NO SUCH STATEMENT HAS BEEN MADE.

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13. THE OTHER ISSUE RAISED BY HONNIBAL HAD TO DO WITH INCOME TAXES AND THE ABILITY TO OFFSET TAXES PAID TO THE GOJ AGAINST THE LEVY. COORE CONFIRMED THAT THE GOVERNMENT DID NOT EXPECT TO RECEIVE MORE MONIES FROM THE COMPANIES THAN THOSE REPRESENTED BY THE LEVY, AND ANTICIPATED THAT THE COMPANIES WOULD TREAT THE LEVY AS A COST OF OPERATING WHICH, TOGETHER WITH OTHER COSTS, WOULD ELIMINATE ALL PROFITS ON THEIR JAMAICAN OPERATIONS. IN THE ABSENCE OF PROFITS THERE WOULD, OF COURSE, BE NO

INCOME TAXES. HOWEVER, COORE ADDED THAT HE WOULD NOT WISH TO ERASE THE INCOME TAX LAW FROM THE BOOKS ENTIRELY SINCE IT MIGHT HAVE ITS USES AT SOME FUTURE DATE. HENCE COORE REGARDED HONNIBAL'S PLEA FOR A CLAUSE IN THE LAW PERMITTING AN OFFSET TO HAVE MERIT. HOWEVER, NOTHING HAS BEEN DONE ABOUT IT.

14. EMBASSY OFFICERS RAISED THESE SAME PROBLEMS WITH COORE AT ABOUT THE SAME DATE AND GOT SIMILAR REPLIES (REFTELS). I INTEND TO REMIND COORE OF THESE ISSUES IN MY NEXT CONVERSATION WITH HIM. DEPARTMENT MAY WISH TO TAKE ADVANTAGE OF NORMAL CONTACTS WITH JAMAICAN EMBASSY TO REINFORCE OUR DOUBTS ON THESE QUESTION.

15. I ASKED THE MANAGERS TO COMMENT ON THE ROLE OF THE EMBASSY AND THE USGOVERNMENT IN THE FORTHCOIMING PHASE OF THE NEGOTIATIONS. THEY ALL FELT THAT WE SHOULD BOTH BE INTERESTED AND CONCERNED AS THE NEGOTIATIONS PROGRESS, AND BE PERCEIVED BY THE GOJ TO BE INTERESTED AND CONCERNED. HOWEVER, WITHOUT EXCEPTION THEY FELT STRONGLY THAT WE SHOULD AVOID ANY ACTIONS AT THIS TIME THAT THE GOJ MIGHT REGARD AS THREATENTING OR COERCIVE. SUCH ACTIONS COULD ONLY BE COUNTERPRODUCTIVE, THEY SAID. I OBSERVED THAT THEIR VIEWS SEEMED TO CONFLICT WITH THAT OF THEIR PRINCIPALS IN THE U.S. ON THIS POINT, AND THEY ACKNOWLEDGED THAT THEY DID. I URGED THAT THEY MAKE THEIR VIEWS ON THIS SUBJECT CLEAR TO THEIR PRINCIPALS.

16. ANALYSIS AND COMMENT: IT IS EVIDENT THAT THE GOVERNMENT IS IN NO HURRY TO PUSH INTO AND THROUGH PHASE 2  
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OF THE BAXUITE NEGOTIATIONS, AND IT IS LIKELY THE PROCESS WILL CONTINUE WELL INTO 1975. AS WAS ANTICIPATED, THE GOVERNMENT APPEARS TO HAVE CHOSEN REVERE AS A GUNIEA PIG BECAUSE OF ITS RELATIVELY WEAK POSITION IN JAMAICA AND IN THE INDUSTRY, PARTLY TO ESTABLISH PRECEDENTS THE STRONG COMPANIES MIGHT HAVE DIFFICULTY AVOIDING, AND PARTLY ON THE THEORY THAT IF THE WEAKEST COMPNY CAN LIVE WITH A GIVEN FORMULA THE STONGER ONES WILL HAVE NO DIFFICULTY IN DOING SO. WHILE THE GOVERNMENT IS CONTINUING TO  
GERARD

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ACTION SS-30

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /031 W

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O R 272100Z AUG 74

FM AMEMBASSY KINGSTON

TO SECSTATE WASHDC IMMEDIATE 5603

INFO AMEMBASSY GEORGETOWN

AMCONSUL PARAMARIBO

C O N F I D E N T I A L SECTION 3 OF 3 KINGSTON 3029

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FOLLOW THE BASIC STRATEGY OUTLINED IN ITS MARCH 15 MEMORANDUM, IT IS FEELING ITS WAY AND HAS SHOWN ITSELF WILLING TO LISTEN TO ARGUMENT ON DETAILS IF NOT ON THE ULTIMATE SHAPE OF THINGS TO COME.

17. GOVERNMENT INTENTIONS SEEM CLEAREST IN THE AREA OF LAND OWNERSHIP AND CONTROL, AND IT IS FAIRLY CLEAR THAT ITS OFFERS TO REVERE ARE MERELY THE FIRST STEP OF A GENERAL RE-APPORTIONMENT OF LANDS AND RESERVES ON THE ISLAND THROUGH THE MECHANISM OF A JAMAICAN NATIONAL BAUXITE COMPANY OR AUTHORITY. IN LINE WITH EARLIER STATEMENTS AND DECLARATIONS, SUCH RE-APPORTIONMENT IS PROBABLY INTENDED TO GUARANTEE SUFFICIENT RESERVES TO THE COMPANIES OVER THE LIFE OF THEIR EXISTING PLANTS -- SAY 25 OR 30 YEARS. THE REMAINDER AND ALSO THE BULK OF THE BAUXITE RESERVES WOULD THEN BE MINED BY THE GOVERNMENT ITSELF OR BE USED TO ENCOURAGE EXPANSION BY THE THE EXISTING COMPANIES OR INVESTMENT ON THE PART OF INTERESTS NOT NOW REPRESENTED IN JAMAICA.

18. WHILE THE GOVERNMENT IS PROCEEDING SLOWLY AND SEEMS AMENABLE TO ARGUMENT AT LEAST IN SOME AREAS, WE SHOULD NOT IGNORE THE FACT THAT THE GENERAL SHAPE OF FUTURE ARRANGEMENTS BETWEEN THE COMPANIES AND THE GOVERNMENT THAT ARE SUGGESTED BY THE REVERE NEGOTIATIONS TO DATE WOULD CONSTITUTE DE FACTO NATIONALIZATION OF THE INDUSTRY,  
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WITH THE COMPANIES CONTINUING AS JUNIOR PARTNERS AT BEST. THE AMOUNT, TIMING, AND MEANS OF COMPENSATION, THEREFORE, BECOMES THE CRITICAL FACTOR NOT ONLY FOR THE COMPANIES IN THEIR CONTINUED RELATIONSHIP WITH THE GOVERNMENT, BUT ALSO FOR THE FUTURE OF JAMAICAN-US RELATIONS.

19. DEPARTMENT MAY WISH TO PASS FOREGOING TO AMBASSADOR GOLDBERG WHO CALLED ME AUGUST 27 P.M. APPARENTLY FROM WHITE HOUSE TO SAY HE WAS MEETING WITH KAISER AUGUST 28. HE REQUESTED CURRENT STATE OF PLAY, AND I INFORMED HIM ONLY THAT REVERE WAS NOW ENGAGED IN EXTENDED NEGOTIATIONS AND THAT NO DEFINITE DATE HAD BEEN SET FOR THE OTHER COMPANIES EXCEPT TENTATIVELY FOR ALCAN ON SEPT. 18. I ADVISED HIM THAT WE WERE SENDING THIS TELEGRAM TODAY.  
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## Message Attributes

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**Type:** TE  
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